

## **2005 DRAFTING REQUEST**

### **Bill**

Received: **02/08/2006**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Curtis Gielow (608) 266-0486**

By/Representing: **Rick Olin**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally**

Extra Copies: **Rick Olin @ LFB**

Submit via email: **YES**

Requester's email: **Rep.Gielow@legis.state.wi.us**

Carbon copy (CC:) to:

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

Levy limit exception for charges assessed by a joint fire department

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### **Instructions:**

See Attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 02/08/2006	jdyer 02/09/2006		_____ _____			Local
/1			jfrantze 02/09/2006	_____ _____	sbasford 02/09/2006		Local
/2	mshovers 02/20/2006	jdyer 02/21/2006	pgreensl 02/21/2006	_____ _____	sbasford 02/21/2006	sbasford 04/07/2006	

FE Sent For:

As  
intro.

<END>

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/?	mshovers 02/08/2006	jdye 02/09/2006					Local
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/1			jfrantze 02/09/2006		sbasford 02/09/2006		
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11/1/05	mshovers	1/2/06 jld		J. Subb			

FE Sent For:

<END>

**Olin, Rick**

---

**From:** Reinemann, John  
**Sent:** Monday, January 30, 2006 3:15 PM  
**To:** Olin, Rick  
**Cc:** Hannah, Becky  
**Subject:** RE: See the attached memo from Rick Olin....

*enter for  
LFB*

Rick: This looks great. Please forward it to LRB. I assume Darling and Wasserman's office have their "copies" already (I see our hard-copy is in our ofc already), but if they don't yet have this, please send it on. I think it accurately reflects (and anticipates) the discussion this AM in Bayside.

Thanks very much, again, for your work on this.

John

-----Original Message-----

**From:** Hannah, Becky  
**Sent:** Monday, January 30, 2006 2:02 PM  
**To:** Reinemann, John  
**Subject:** See the attached memo from Rick Olin....

The message is ready to be sent with the following file or link attachments:

Jan 30 LFB Levy

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

January 30, 2006

TO: Senator Alberta Darling  
Representatives Curt Gielow and Sheldon Wasserman

FROM: Rick Olin, Fiscal Analyst

SUBJECT: Levy Limit Adjustment for Costs Related to Consolidated Services

At your request, this memorandum provides information on a proposal to create an adjustment to the levy limit program.

The local levy limit program was created by 2005 Wisconsin Act 25 and is authorized under s. 66.0602 of the state statutes. The program limits the year-to-year change in the property tax levy of each municipality and county to a percentage equal to the greater of 2% or the most recent change in tax base due to new construction, minus any property removed or demolished, for the municipality or county. The limit applies only to the tax levies for 2005(06) and 2006(07). The allowable increase may be supplemented by several authorized adjustments, which include amounts related to service transfers or consolidations, amounts approved through referendum, and amounts needed for debt service.

(u) 3.

The proposed modification would extend an adjustment for charges assessed by a joint fire department organized under ss. 61.65(2) or 62.13(2m) of the statutes. Joint fire departments assess charges to underlying municipalities that they serve on a pro rata basis, and the municipalities incorporate those charges into their tax levies. If the charges assessed to a municipality increase by a percentage in excess of the allowable rate of increase for that municipality under the levy limit program, the proposal would permit the municipality to exclude the amount of the charge in excess of the allowable rate of increase from the limitation. The exclusion would apply only if the total charges assessed by the joint fire department increase relative to the prior year by a percentage that is less than or equal to the percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, plus 2%. The exclusion would apply only to municipal property tax levies for 2006(07).

If you have any questions on this information, please let me know.





State of Wisconsin  
2005 - 2006 LEGISLATURE

4604/1  
LRB-4603/2

MES...  
jld (FMR)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SOON

gm

- 1 AN ACT ...; relating to: creating an exception to the local levy limits for amounts
- 2 assessed by a joint fire department.

---

*move* **Analysis by the Legislative Reference Bureau**

2005 Wisconsin Act 25, the state budget bill, created local levy limits that generally prohibit a political subdivision (any city, village, town, or county) from increasing its levy by a percentage that exceeds the percentage change in the political subdivision's equalized value due to new construction, less improvements removed, but not less than 2 percent, and not including any such changes in a tax incremental district (TID). Current law contains exceptions to the levy limits for political subdivisions that transfer the provision of services, for cities or villages that annex town territory, and for a county levy that relates to a county Children with Disabilities Education Board. The levy limits do not apply beginning on January 1, 2007.

This bill creates another exception to the levy limits. Under the bill, the limits do not apply to amounts levied by a municipality (any city, village, or town) to pay for charges assessed by a joint fire department, but only to the extent that the assessment would cause the municipality to exceed the otherwise applicable levy limit. Also under the bill, the exception applies only if the total charges assessed by a joint fire department for the current year exceed the prior year's assessment by a percentage that is less than or equal to the percentage change in the consumer price index, plus 2 percent.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 66.0602 (3) (h) of the statutes is created to read:

66.0602 (3) (h) 1. Subject to subd. 2., the limit otherwise applicable under this section does not apply to the amount that a city, village, or town levies in that year to pay for charges assessed by a joint fire department organized under s. 61.65 (2) (a) 3. or 62.13 (2m), but only to the extent that the amount levied to pay for such charges would cause the city, village, or town to exceed the limit that is otherwise applicable under this section.

2. The exception to the limit that is described under subd. 1. applies only if the total charges assessed by the joint fire department for the current year increase, relative to the total charges assessed by the joint fire department for the previous year, by a percentage that is less than or equal to the percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months ending on September 30 of the year of the levy, plus 2 percent.

(END)

## Shovers, Marc

---

**From:** Reinemann, John  
**Sent:** Monday, February 13, 2006 2:59 PM  
**To:** Shovers, Marc  
**Cc:** Sen.Darling; Rep.Wasserman; Michaelson, Mark; Tormey, Jessica; Petri, Tom; Volz, David; Olin, Rick; Jay Hintze; M Jaberg; Sam Dickman; K Streblow  
**Subject:** Revision requested to LRB 4604/1  
**Attachments:** 05-46041.pdf

Marc: I am writing in reference to LRB 4604/1, which was requested on behalf of Rep. Gielow and Sen. Darling by Rick Olin of LFB.

We would like to add a condition to the levy limit granted in 4604. We do not want the levy limit exception taking effect until and unless there has been a vote by the village boards, common councils, etc. of each participating municipal government to take advantage of the provision and exceed the limits as allowed in s. 66.0602 (3) (h).

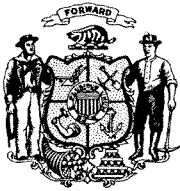
It is our intent that this vote would have to occur at an open and announced meeting of the affected municipal governing councils, and that each council would have to publish this as an agenda item beforehand, etc. I think current law on open meetings, public notice requirements, and so-on will cover our intent, but if you are in any doubt, please let me know.

Please call or email with any questions. Thank you.

John Reinemann  
Aide to Rep. Curt Gielow  
608-266-0486



05-46041.pdf (14  
KB)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-4604/1

MES:jld:jf

RMR

2005 BILL

regm

- 1 AN ACT *to create* 66.0602 (3) (h) of the statutes; **relating to:** creating an  
2 exception to the local levy limits for amounts assessed by a joint fire  
3 department.

---

***Analysis by the Legislative Reference Bureau***

The state budget bill, 2005 Wisconsin Act 25, created local levy limits that generally prohibit a political subdivision (any city, village, town, or county) from increasing its levy by a percentage that exceeds the percentage change in the political subdivision's equalized value due to new construction, less improvements removed, but not less than 2 percent, and not including any such changes in a tax incremental district. Current law contains exceptions to the levy limits for political subdivisions that transfer the provision of services, for cities or villages that annex town territory, and for a county levy that relates to a county Children with Disabilities Education Board. The levy limits do not apply beginning on January 1, 2007.

This bill creates another exception to the levy limits. Under the bill, the limits do not apply to amounts levied by a municipality (any city, village, or town) to pay for charges assessed by a joint fire department, but only to the extent that the assessment would cause the municipality to exceed the otherwise applicable levy limit. Also under the bill, the exception applies only if the total charges assessed by a joint fire department for the current year exceed the prior year's assessment by a percentage that is less than or equal to the percentage change in the consumer price index, plus 2 percent.

and only if the governing bodies of each municipality served by the department adopt a resolution in favor of exceeding the limit

**BILL**

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1            <sup>✓</sup>  
SECTION 1. 66.0602 (3) (h) of the statutes is created to read:

2            66.0602 (3) (h) 1. Subject to subd. 2., the limit otherwise applicable under this  
3 section does not apply to the amount that a city, village, or town levies in that year  
4 to pay for charges assessed by a joint fire department organized under s. 61.65 (2)  
5 (a) 3. or 62.13 (2m), but only to the extent that the amount levied to pay for such  
6 charges would cause the city, village, or town to exceed the limit that is otherwise  
7 applicable under this section. <sup>✓ all of the following apply:</sup>

8            2. The exception to the limit that is described under subd. 1. applies only if <sup>✓</sup> the  
9 <sup>ⓐ. The</sup> total charges assessed by the joint fire department for the current year increase,  
10 relative to the total charges assessed by the joint fire department for the previous  
11 year, by a percentage that is less than or equal to the percentage change in the U.S.  
12 consumer price index for all urban consumers, U.S. city average, as determined by  
13 the U.S. department of labor, for the 12 months ending on September 30 of the year  
14 of the levy, plus 2 percent.

15            <sup>(END)</sup>  
ⓑ. The governing body of each city, village, and town <sup>✓</sup> that is  
served by the joint fire department <sup>✓</sup> adopts a resolution <sup>✓</sup>  
in favor of exceeding the limit as described in subd. 1. <sup>✓</sup>

(END) ✓



State of Wisconsin  
LEGISLATIVE REFERENCE BUREAU

**RESEARCH APPENDIX -**  
**PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/30/2006 (Per: MES)



**Appendix A**

The 2005 drafting file for LRB 05-4604/2  
has been copied/added to the 2005 drafting file for  
**LRB 05-4875**

100 The attached 2005 draft was incorporated into the new 2005 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2005 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

100 This cover sheet was added to rear of the original 2005 drafting file. The drafting file was then returned, intact, to its folder and filed.

**Northrop, Lori**

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**From:** Reinemann, John  
**Sent:** Thursday, April 06, 2006 10:03 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 05-4604/2 Topic: Levy limit exception for charges assessed by a joint fire department

Please Jacket LRB 05-4604/2 for the ASSEMBLY.